

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

THOMAS K. CAMPBELL, et al.,

Plaintiffs,

v.

ENTERGY NUCLEAR OPERATIONS, INC.,

Defendant.

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Civil Action No. 05-11951-JLT

ORDER

August 7, 2007

TAURO, J.

After a Hearing held August 7, 2007, this court hereby orders:

1. Plaintiffs' Motion to Compel Defendant to Conduct Depositions of Plaintiffs Marie Lenhart-Butkuss and Bruce Perkins by Telephone [#76] is DENIED. Defendant may depose the remaining Plaintiffs by September 28, 2007.
2. Defendants' Motion to Compel Plaintiff's Responses to Defendant's Discovery Requests is ALLOWED IN PART AND DENIED IN PART, as follows.
3. The three Plaintiffs who have not replied to interrogatories shall do so by August 31, 2007. Plaintiff Lafonte, who has allegedly not replied because he is withdrawing from the case, shall formally withdraw by this date. Plaintiff Walker, who is "missing," shall also respond by this date or his claim shall be dismissed for failure to prosecute.

4. Plaintiffs' counsel has represented in his Declaration [#89], ¶ 14, that with a few exceptions, he has disclosed all relevant documents. First, to the extent any Plaintiffs have outstanding documents, such as those identified at a deposition, these documents must be produced by August 31, 2007. On this date, Plaintiffs' counsel shall file, as a separate entry on the court's docket, a sworn declaration which lists each and every remaining Plaintiff and certifies that all relevant documents in the possession of each Plaintiff have been disclosed.
5. If Plaintiffs believe that Defendant has not produced certain documents, they may file a Motion to Compel, but must do so by August 31, 2007.
6. Plaintiffs shall file its Motion to Certify Class by August 31, 2007.
7. Defendant shall file its dispositive motions by October 31, 2007.
8. A Motion Hearing is set for December 12, 2007 at 10:00 am.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge